IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No.14366 of 2005

Between:

K. Siva Nath, S/o. K. Rama Swamy,
R/o. Model Tours & Travels, Dwarakanagar, Visakhapatnam.

..... PETITIONER

AND

1 The Dy. Transport Commissioner & Secretary,

Regional Transport Authority,
Visakhapatnam.
2 The Asst. Motor Vehicles Inspector, Secretary R.T.A. Hyderabad,
Nagole Testing Ground.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to Issue a writ, order or direction particularly one in the nature of a writ of mandamus, declaring the action of the 1st respondent in not releasing the petitioner's vehicle bearing No. AP/31W-9559 seized under vehicle check report No.3065646, dt. 29.6.2005 by the 2nd respondent as illegal, arbitrary, unjust and contrary to law and consequently direct the respondents to release the vehicle of the petitioner forthwith.

Counsel for the Petitioner: Mr.B.SIVA RAMA KRISHNAIAH

Counsel for the Respondents: G.P. FOR TRANSPORT

The Court at admission stage made the following :

ORAL ORDER: (per Sri Bilal Nazki, the Acting Chief Justice)

Heard the learned counsel for the parties.

The matter can be disposed of at this stage as the enquiry is pending.

The vehicle of the petitioner has been seized. We have perused the check report. The vehicle shall be released subject to payment of Rs.15,000/- (Rupees Fifteen thousand only) to the respondents within a period of two weeks from today. However, the payment of the amount shall be subject to outcome of the enquiry.

The writ petition is accordingly disposed of.

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(BILAL NAZKI, ACJ)

5th July 2005.

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(G.CHANDRAIAH, J.)

ARS

To

1 The Dy. Transport Commissioner & Secretary,

Regional Transport Authority, Visakhapatnam.
2 The Asst. Motor Vehicles Inspector, Nagole Testing Ground,

Secretary R.T.A., Hyderabad.
3 Two C.Cs to Govt. Pleader for Transport, High Court Bldgs.,

Hyderabad (OUT).

4 Two C.D. copies.